



FEM position on the revision of the Standardisation Regulation 2012/1025 and the future of the European Standardisation System

Brussels, 16 December 2025

Executive summary

The European Materials Handling Federation (FEM) represents materials handling, lifting and storage equipment industry. It brings together 15 national members (13 EU countries plus the UK and Türkiye), representing over 1,000 companies and 160,000 employees. With an annual turnover of nearly €74 billion, FEM members cover about 80% of the European sector, making it a global leader and accounting for more than half of worldwide production.

FEM welcomes the opportunity to provide its view to the European Commission's Public Consultation on the revision of the Regulation (EU) No 1025/2012 and would like to share its proposals regarding the European Standardisation System.

1. Renewal of the process for the harmonisation of European standards

The voluntary nature of standards is a fundamental principle of the European standardisation system and is key to the success of the Single Market. FEM aims to maintain this principle as harmonised standards are key to promoting innovation, providing flexibility for businesses, including SMEs, and avoiding barriers to technical progress. However, whilst the harmonised European standards (hEN) deliver strong benefits for all stakeholders once they are published and cited, the approval process to achieve citation requires review. It is highly opaque, too lengthy, inefficient and no longer economically viable, leading to the disengagement of the industry. The current process delays the development and publication of European standards, wastes the resources of the stakeholder groups involved, prevents a fast implementation of the state-of-the-art solutions, thereby hindering the placement of safer products on the market.

Our recommendations:

- The process for drafting standardisation requests should run in parallel with legislative drafting to avoid unrealistic deadlines for the development and publication of harmonised standard; this to allow their citation in the OJEU before the application date of the regulation or soon after.

2. HAS consultant system reform

The HAS consultant system requires a rethink. It should be revised in all the process steps which are the main reason of delays, or a complete replacement in all the process steps which are now too burdensome.





According to the CEN-CENELEC Management Centre statistics, more than 80% of all the HAS assessments get negative result. This demonstrates the failure of the current process which is based on legalistic approach rather than safety interest.

The way the European Standardisation System (ESS) is currently structured makes it impossible to achieve so-called "perfect" standards. In fact, this expectation is both unrealistic and unnecessary, and it has become one of the main reasons behind the high rate of failure in the system. A central factor in this problem lies in the role of HAS consultants. The process today is largely fault-finding, with only very limited opportunities for meaningful interaction between consultants and the working groups developing the standards.

Our reform proposal should stress that the HAS process needs to be reshaped into a genuine collaborative partnership. Its goal should be to support and facilitate the development of practical, effective standards, rather than perpetuating a cycle of unrealistic expectations and repeated rejections.

Currently, HAS consultants apply inconsistent interpretations, often rejecting texts that have already been approved by other consultants. On top of this, the European Commission's expectations - and, by extension, those of the HAS consultants - tend to shift over time. Such instability undermines confidence in the process and leads to repeated setbacks.

There are also cases where the European Commission has refused to list a standard in the EU Official Journal because it was deemed to contain too many normative references, or considered it excessively lengthy, which evidences arbitrary application of unwritten rules.

These inconsistencies are amplified by the fact that the assessment process can be determined by a single consultant who alone decides whether a standard passes the evaluation, without a reasonable means for stakeholders to appeal. This concentration of authority contradicts the democratic and inclusive principles that underpin the ESS. The external review implemented by the European Commission, via the HAS consultants, is detrimental to the entire ESS and it is essential to restore fairness, stability and trust to the process.

Although we do not question the need for high-quality standards, the level of expectation and time pressure placed on standards makers is detrimental to the prompt renewal of technical requirements that match the state of the art. These expectations, when compared to the reality of job sites, does not seem relevant in terms of user safety.

Our recommendations:

- Earlier and more technical-focused involvement of HAS consultants, with legalistic checks reserved for later stages.
- Increased participation of the HAS consultants during the drafting stages to foster greater mutual understanding and achieve consistently high standards.
- Regular coordination meetings among consultants to harmonise interpretations and avoid contradictory feedback.
- Clear, publicly available guidelines for HAS consultant assessments, ensuring predictability and fairness.
- Move quality checks to the end of the process, just before formal HAS assessment, to avoid repeated cycles of revision.





3. Keep a pragmatic alignment to standards' harmonisation under the Vienna Agreement

The Vienna Agreement plays a big role in ensuring product interoperability, effectively contributes to remove technical barriers to trade and guarantees that harmonised standards are not created in isolation but rather they are created in harmony with IEC/ISO standards.

It is important to emphasise that the option to develop harmonised standards at the international (ISO) level is crucial for European competitiveness and should be safeguarded. Maintaining this choice allows European industry to influence global standards and ensures that European positions are represented internationally.

Moreover, the principle of "international first" may not always apply in the development of harmonised standards. Some compliance and procedural hurdles are making unnecessarily difficult to use international standards as a basis for developing harmonised standards, even in cases where such alignment would be logical and beneficial.

For the reason above, there must also be recognition that not all members of the international community will share the European approach, and the process should therefore allow space to accommodate such differences while still achieving harmonisation where possible.

Our recommendations:

- The Commission should reconsider its interpretation of court rulings and restore a balanced, pragmatic approach to standardisation.
- The need to accommodate regional differences in international standards should be embraced as an avenue to promote European leadership.





4. Change the European standardisation system process

The recent European Court of Justice decisions (eg. “Malamud case”, “James Elliot case”) have produced profound and negative impacts on the European Standardisation System. For instance, the James Elliott case has led to increased legalism, delays, and uncertainty. The European Commission implementation of the James Elliott judgment is excessive and stems solely from its own interpretation; it is therefore not legally required. The Commission should reconsider its approach, restore balance, and ensure that harmonised standards and the New Approach principles remain central. The Malamud case and similar legal pressures are also seen as part of a broader challenge to the system’s stability and effectiveness.

As a result, changes to the development process have been introduced in response to the hENs being recognised as part of EU legislation and has led to a steady deterioration of the process in last years’ up to the current unacceptable state for the industry. Also, the above-mentioned European Court of Justice decisions have significantly increased the mistaken perception that having no standard is preferable to publishing a standard that doesn’t achieve the unrealistic expectation of ‘legal certainty’.

We regret the introduction of so much complexity to a proven, efficient system that was, once, considered a global benchmark. The availability and sharing of industrial know-how, fundamental to the New Approach system, are being compromised, as the benefits to industry versus the financial and human costs engaged are becoming less obvious. We urge the Commission to acknowledge that the current system is not fit for purpose, and to collaborate proactively with the industry, as the main contributor, to find solutions.

5. Conclusions

FEM invites the European Commission to take into account the points outlined above when preparing the legislative proposal for revising the Standardisation Regulation (EU) No 1025/2012. We would be pleased to meet with the European Commission to provide further clarification and stand ready to collaborate, whether bilaterally or through other formats, throughout the revision process.

Finally, we urge the Commission to allow sufficient time for consideration of the various stakeholders' positions when addressing this challenging revision, particularly if it is to be incorporated into a single text under the European Product Act. It belongs to all of us to correct this regrettable situation and to make the EU a standards setter again.